

# **INCIDENT SUMMARY**

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***IAB NUMBER SH1208071***

On Saturday, April 25, 1998, Lieutenant Ben Nottingham and Sergeants Donnie Mauldin and Thomas Campbell of the Internal Affairs Bureau, responded to the Acton area regarding a deputy-involved shooting wherein one suspect was killed. Lieutenant Joe Brown and Detectives Dan Smith and Mike Scott of the Homicide Bureau, conducted the criminal investigation. Sergeant Glen Peacock of the Advanced Training Bureau, was present to evaluate training issues.

The summary of this incident is based on information obtained from interviews of the involved employees, and two civilian witnesses (victims), whose individual statements are contained in the Homicide Bureau's case package (refer to Exhibit A). Refer to Exhibit B for photographs related to this incident.

### **SUMMARY**

At about 0400 hours, April 25, 1998, Palmdale Station received a burglary in progress call in the Agua Dulce area where the suspect had broken into a residence and kidnaped his [REDACTED] at gunpoint. The residence belonged to the [REDACTED] who was also the informant on the call; he managed to escape and hide. (The suspect then drove to a nearby ravine and raped his [REDACTED] before returning to the Acton area a few hours later.)

Later, based on information given to the deputies by the [REDACTED], deputies went to the suspect's residence in Acton, a rural, mountainous area with dirt roads. The suspect was not there, however, a short time later, the suspect returned in his Blazer with his estranged [REDACTED] still in the vehicle. The suspect saw the deputies and drove past the house. The deputies initiated a pursuit which continued for several minutes in the surrounding area on dirt roads, fire roads and fields. Within minutes, an aero unit was overhead and broadcasting the pursuit. The pursuit eventually came to an end after the suspect drove up the backside of a mountain and then continued on down its face. At various times there had been several units involved in the pursuit, but because of the terrain, only two one-man units, Deputy Farkas and Deputy Lloyd, were able to follow the suspect up the backside of the hill before having to stop.

The suspect stopped halfway down the mountain, possibly because the vehicle got stuck, and remained inside with the victim. Several deputies, including Deputy Steve Brown, had now taken up positions at the base of the mountain while Deputies Farkas and Lloyd moved on foot down the face of the mountain toward the suspect's vehicle. Farkas and Lloyd saw the suspect struggling with the victim and they began yelling for him to put his hands in the air and give up. The suspect pointed his handgun at the victim, and Deputy Farkas seeing this, fired one round at the suspect through the vehicle's opened rear window. The round missed the suspect and exited through the driver's side windshield. The suspect ducked and then the vehicle rolled forward and

stopped again. Immediately upon stopping, the suspect exited and began firing uphill at Farkas and Lloyd, striking Farkas once in the chest. The bullet was stopped by Farkas' vest and trauma plate. Both Farkas and Lloyd returned fire while trying to find some sort of concealment. Deputy Brown also fired several rounds at the suspect upon seeing him shoot at the deputies. The suspect moved down the hill and fell in the brush near a large bush. It was unknown if the suspect had been hit or if he made some sort of tactical move to take cover/concealment. Deputies Farkas and Lloyd took cover behind the suspect's vehicle. Deputy Farkas and another deputy removed the victim from the vehicle and away from the situation. Farkas fired several rounds in the suspect's direction as they did so for cover fire.

Sergeant Sauer deployed a deputy with an AR-15 to be able to effectively cover the suspect. The deputies yelled several times for the suspect to give up, but there was no response. A short time later, and after seeing no movement on the part of the suspect by either the air unit or deputies on the ground, the field sergeant, armed with an AR-15, and the K-9 unit approached the suspect while they were being covered by the other deputy armed with an AR-15. The K-9 approached and bit the suspect on the right knee, but the suspect was already dead from what appeared to be a self inflicted gunshot wound to the head.

The statements by all deputy personnel at the scene were substantially the same.

The Suspect's [REDACTED] said that while she was seated in the vehicle on the side of the mountain, she heard the deputies yelling for the suspect to put the gun down and get out of the vehicle. She said that the suspect told her, "This is it. This is it." She was trying to talk him into giving her the gun during this time. The suspect got out of the truck and began shooting uphill toward the deputies and then the deputies returned fire. She stopped watching when she saw the suspect put his gun to his head while he was still near the Blazer.

Deputy Farkas fired a total of 22 rounds from his duty Beretta, Deputy Lloyd fired 13 rounds from his duty Beretta, one of which struck the suspect in the left knee, and Deputy Brown fired 6 rounds from his duty Beretta. The suspect fired 12 rounds from his Smith and Wesson, 9mm, handgun.

[REDACTED]